

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DOROTHY STANLEY, as Executrix of the  
ESTATE of HELEN RUNGE,

*Plaintiff,*

v.

WALTER J. KELLEY; KERRY L.  
BLOOMINGDALE, M.D.; and  
SUNBRIDGE NURSING AND  
REHABILITATION CENTER,

*Defendants.*

Civil Action No. 05-10849-RGS

**MOTION to EXCUSE TRIAL COUNSEL for  
DEFENDANT SUNBRIDGE from the MEDIATION CONFERENCE**

Pursuant to this Court's April 3, 2003 Notice and Order (Docket Entry #138), a mediation hearing has been scheduled for May 12, 2008. The Order requires the attendance of trial counsel. Both attorneys who are scheduled to appear as trial counsel for Defendant Mediplex of Massachusetts, Inc. d/b/a SunBridge Care and Rehabilitation for Randolph ("Defendant SunBridge") are also scheduled to appear for a trial in Middlesex Superior Court for a trial beginning on May 12, 2008. *See Cueva v. Wakefield Healthcare, LLC, d/b/a Harborside Healthcare-Wakefield Rehabilitation & Nursing Center*, MICV2004-01133-H. Do to the potential unavailability of trial counsel for Defendant SunBridge on May 12, 2008, SunBridge asks this Court to excuse trial counsel from appearing at the medication conference if the *Cueva* matter proceeds to trial on May 12, 2008. Should the *Cueva* matter not go forward on May 12, 2008, trial counsel will be available for the mediation hearing.

Respectfully submitted,

**Mediplex of Massachusetts, Inc. d/b/a  
SunBridge Care and Rehabilitation for  
Randolph**

by its attorneys,

/s/ Michael Williams

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**LOCAL RULE 7.1 CERTIFICATION**

I, Michael Williams, hereby certify that, pursuant to LOCAL RULE 7.1(A)(2), I conferred with counsel for the plaintiff, Helen Runge and counsel for defendant Walter Kelly, on April 16, 2008 concerning this motion.

/s/ Michael Williams

**CERTIFICATE OF SERVICE**

I hereby certify that this Document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on April 16, 2008.

/s/ Michael Williams